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16
                    UNITED STATES DISTRICT COURT
17
                  NORTHERN DISTRICT OF CALIFORNIA
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    GEORGE MORRIS, on Behalf of Himself and   Case No. 3:15-cv-05107
20 all Others Similarly Situated,
                                                   [PROPOSED] ORDER ON DISCOVERY
21   Plaintiffs,   **DISPUTE**
                                                   AS MODIFIED
22   v.
                                                   Hon. Elizabeth D. Laporte
23 SOLARCITY CORP.,   **Action Filed: November 6, 2015**

24   Defendant.

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1   Plaintiff George Morris ("Plaintiff") and Defendant SolarCity Corp. ("SolarCity") have

2   submitted discovery letter briefs seeking this Court's resolution of the parties' dispute regarding

3   SolarCity's responses to Plaintiff's First Set of Requests for Production of Documents and First Set

4   of Interrogatories ("Discovery Requests").

5   Upon consideration of all papers submitted to the Court pertaining to this dispute, all

6   exhibits submitted in support thereof, and oral argument of counsel and for good cause shown,

7   IT IS HEREBY ORDERED THAT:

8   1. SolarCity shall produce all call records from its SalesForce system for sales calls made

9   during the time period November 6, 2011 through November 6, 2015, regardless of which

10   lead generator provided the lead to SolarCity. SolarCity shall make reasonable efforts to

11   produce those call records by May 13, 2016, subject to the entry of a protective order. This

12   call log shall be produced in a native .csv format. To the extent such data is available, the

13   call log shall include the dates and times of each call, the names of call recipients, the phone

14   numbers of call recipients, the phone numbers that SolarCity called from and the names of

15   the lead generators that provided each lead.

16   2. For each of Plaintiff's requests for the production of documents, SolarCity will produce

17   responsive non-privileged documents created during the time period November 6, 2011

18   through November 6, 2015 concerning leads that SolarCity obtained from Lead Genesis,

19   where such documents are located pursuant to a reasonable search of paper or electronic

20   files and subject to an appropriate ESI protocol. SolarCity shall produce these documents

21   on a rolling basis starting on May 23, 2016 and to be completed by June 13, 2016. With

22   regard to other lead generators, SolarCity will produce additional non-privileged

23   documents responsive to Plaintiff's Discovery Requests, located pursuant to a reasonable

24   search, based upon the parties' agreement on search terms for the search of the electronic

25   files of up to eight (8) designated custodians, and subject to an appropriate ESI protocol.

26   The parties shall agree to a list of search terms, custodians, an ESI protocol and a protective

27   order by May 16, 2016 and SolarCity shall make reasonable efforts to produce these

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1   documents in a rolling production beginning on June 13, 2016, to be completed by July 7,

2   2016.

3   3. Once the document discovery described in this Order is completed, the parties will revisit

4   the need for fuller discovery related to lead generators other than Lead Genesis.

5   4. This order disposes of docket nos. 41, 43, 46, 47, 53, 54.

8   Dated: April 26, 2016

     HONORABLE ELIZABETH D. LAPORTE
9   United States Magistrate Judge

[PROPOSED] ORDER RE: DISCOVERY DISPUTE
3:15-CV-05107